

MONDAY, APRIL 11, 2016

FIFTY-EIGHTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Reverend H. Bruce Maxwell, Lake Providence Missionary Baptist Church, Nashville, TN.

Representative Powell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 92

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell
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EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Lundberg; military service

Representative DeBerry; business

Representative Terry; illness

PRESENT IN CHAMBER

Reps. Holsclaw, Love, Parkinson and Womick were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 519 Rep. T. Hill as prime sponsor.

House Joint Resolution No. 890 Rep. Calfee as prime sponsor.

House Joint Resolution No. 892 Rep. Dunlap as prime sponsor.

House Joint Resolution No. 899 Rep. Wirgau as prime sponsor.

House Bill No. 577 Reps. Favors, Rogers, Dunlap and Lollar as prime sponsors.

House Bill No. 1448 Rep. Hardaway as prime sponsor.

House Bill No. 1471 Rep. Daniel as prime sponsor.

House Bill No. 1707 Rep. T. Hill as prime sponsor.

House Bill No. 1909 Rep. Daniel as prime sponsor.

House Bill No. 2009 Reps. Dunn and Hardaway as prime sponsors.

House Bill No. 2022 Reps. Gilmore, Stewart and Powell as prime sponsors.

House Bill No. 2103 Reps. T. Hill, C. Sexton as prime sponsors.

House Bill No. 2179 Rep. Hardaway as prime sponsor.

House Bill No. 2193 Reps. Hardaway and Love as prime sponsors.

House Bill No. 2436 Rep. Hardaway as prime sponsor.

House Bill No. 2450 Rep. Hardaway as prime sponsor.

MESSAGE FROM THE SENATE

April 8, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 689, 690, 691, 692, 693, 695 and 696; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 8, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 755, 756, 757, 760, 761, 762, 763, 765, 766, 767 and 851; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 8, 2016

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 689, 690, 691, 692, 693, 695 and 696.

JOE MCCORD, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK

April 8, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 755, 756, 757, 760, 761, 762, 763, 765, 766, 767 and 851; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE GOVERNOR

April 8, 2016

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No. 572; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

MESSAGE FROM THE GOVERNOR

April 8, 2016

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 829, 1791, 2082, 2620, 2628, 2634, 2635 and 2640; also House Joint Resolutions Nos. 573, 585, 686, 749, 750, 751, 752, 753, 754, 764 and 851; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

ENROLLED BILLS

April 8, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1775, 2256, 2389, 2391, 2401, 2402, 2621, 2623, 2643, 2644, 2649, 2650, 2651 and 2653; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 11, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 771; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 771 -- Memorials, Recognition - Bill Gaither. by *Crowe.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Alexander was recognized in the Well to honor the 150th anniversary of the Jack Daniel Distillery.

RESOLUTION READ

The Clerk read House Joint Resolution No. 711, adopted March 24, 2016.

House Joint Resolution No. 711 -- Memorials, Recognition - Jack Daniel Distillery, 150th anniversary. by *Alexander, *Gravitt, *Towns, *Matheny, *Daniel, *Terry, *Favors, *Love, *Cooper, *Powell, *Hazlewood, *Todd, *Armstrong, *Williams, *Fitzhugh, *Sparks, *Miller, *Lamberth.

RECOGNITION IN THE WELL

Representative Calfee was recognized in the Well to honor "Neonatal Abstinence Syndrome Awareness Month," October 2016.

RESOLUTION READ

The Clerk read House Joint Resolution No. 519.

***House Joint Resolution No. 519** -- Naming and Designating - "Neonatal Abstinence Syndrome Awareness Month," October 2016. by *Calfee, *Sexton C.

RECOGNITION IN THE WELL

Representative Casada was recognized in the Well to honor the Ravenwood Raptors football champions.

RESOLUTION READ

The Clerk read House Joint Resolution No. 696, adopted March 21, 2016.

House Joint Resolution No. 696 -- Memorials, Sports - Ravenwood High School, TSSAA Division I Class 6A state football champions. by *Casada, *Sargent, *Durham.

RECOGNITION IN THE WELL

Representative Todd was recognized in the Well, joined by the Shelby County delegation, to honor Pat Kerr Tigrett.

RESOLUTION READ

The Clerk read House Joint Resolution No. 851, adopted April 6, 2016.

House Joint Resolution No. 851 -- Memorials, Recognition - Pat Kerr Tigrett. by *Todd, *Alexander, *Armstrong, *Beck, *Brooks H, *Brooks K, *Byrd, *Calfee, *Carr, *Carter, *Casada, *Clemmons, *Daniel, *Doss, *Dunlap, *Dunn, *Durham, *Eldridge, *Faison, *Farmer, *Favors, *Fitzhugh, *Forgety, *Gilmore, *Goins, *Gravitt, *Halford, *Hawk, *Hazlewood, *Hicks, *Hill T, *Holsclaw, *Howell, *Hulsey, *Jenkins, *Jernigan, *Johnson, *Jones, *Kane, *Keisling, *Kumar, *Lamberth, *Littleton, *Love, *Marsh, *Matheny, *Matlock, *McCormick, *McDaniel, *Mitchell, *Moody, *Pitts, *Powell, *Ramsey, *Reedy, *Rogers, *Sanderson, *Sargent, *Sexton C, *Sexton J, *Shaw, *Shepard, *Smith, *Sparks, *Stewart, *Swann, *Terry, *Travis, *Van Huss, *Weaver, *White D, *Williams, *Windle, *Wirgau, *Zachary.

RECOGNITION IN THE WELL

Representative J. Sexton was recognized in the Well to honor the Lincoln Memorial University Railsplitters.

RESOLUTION READ

The Clerk read House Joint Resolution No. 909.

House Joint Resolution No. 909 -- Memorials, Sports - Lincoln Memorial University Railsplitters. by *Sexton J.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 13, 2016:

House Resolution No. 267 -- Memorials, Interns - Jonathan Raymond Warren III. by *Williams.

House Resolution No. 268 -- Memorials, Academic Achievement - Victoria Lynn Flanary, Salutatorian, Bartlett High School. by *Miller.

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House Resolution No. 269 -- Memorials, Academic Achievement - Bawan Faraedoon Qaladize, Valedictorian, Bartlett High School. by *Miller.

House Resolution No. 256 -- Memorials, Death - Sarah Ann Wilkinson Denton. by *Hill T.

House Resolution No. 257 -- Memorials, Academic Achievement - Isaiah Smith, Salutatorian, Brainerd High School. by *Favors.

House Resolution No. 258 -- Memorials, Academic Achievement - Aaliyah Bell, Valedictorian, Brainerd High School. by *Favors.

House Resolution No. 259 -- Memorials, Academic Achievement - John Harper Beeland, Salutatorian, Center for Creative Arts. by *Favors.

House Resolution No. 260 -- Memorials, Academic Achievement - Jonathan Andrew Martinez, Valedictorian, Center for Creative Arts. by *Favors.

House Resolution No. 261 -- Memorials, Academic Achievement - Kara Cher Elaine Welsh, Salutatorian, Collegiate High School. by *Favors.

House Resolution No. 262 -- Memorials, Academic Achievement - Chloe Rene Russell-Vernon, Valedictorian, Collegiate High School. by *Favors.

House Resolution No. 263 -- Memorials, Academic Achievement - Satirra Arnet Montgomery, Salutatorian, The Howard School. by *Favors.

House Resolution No. 264 -- Memorials, Academic Achievement - Ajasia Harris, Valedictorian, The Howard School. by *Favors.

House Resolution No. 265 -- Memorials, Academic Achievement - Joyce Anchanattu Mathai, Salutatorian, Tyner Academy. by *Favors.

House Resolution No. 266 -- Memorials, Academic Achievement - Sydnee Redana Ruff, Valedictorian, Tyner Academy. by *Favors.

House Joint Resolution No. 909 -- Memorials, Sports - Lincoln Memorial University Railsplitters. by *Sexton J.

House Joint Resolution No. 910 -- Memorials, Sports - Memphis East High School, Class AAA state champs. by *Towns.

House Joint Resolution No. 911 -- Memorials, Sports - Mitchell High School boys' basketball, Class A state champs. by *Towns.

House Joint Resolution No. 912 -- Memorials, Interns - Talisa Cantrell. by *Fitzhugh.

House Joint Resolution No. 913 -- Memorials, Recognition - Lauderdale Community Living Center, 2015 - Commitment to Quality Award. by *Fitzhugh.

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House Joint Resolution No. 914 -- Memorials, Recognition - Carol Hardin. by *Byrd.

House Joint Resolution No. 915 -- Memorials, Recognition - Henderson Health and Rehabilitation Center, 2015 Bronze-Commitment to Quality Award. by *McDaniel.

House Joint Resolution No. 916 -- Memorials, Academic Achievement - Shelly Glenn Fulks, Valedictorian, Columbia Academy. by *Butt.

House Joint Resolution No. 917 -- Memorials, Academic Achievement - Stephen "Peyton" Staggs, Salutatorian, Columbia Academy. by *Butt.

House Joint Resolution No. 918 -- Memorials, Academic Achievement - Gracelyn Bowers, Valedictorian, Culleoka Unit School. by *Butt.

House Joint Resolution No. 919 -- Memorials, Academic Achievement - Samuel Adkins, Salutatorian, Culleoka Unit School. by *Butt.

House Joint Resolution No. 920 -- Memorials, Personal Achievement - Joshua Stephen Terry, Eagle Scout. by *Butt.

House Joint Resolution No. 921 -- Memorials, Personal Achievement - Joseph Christian Howell, Eagle Scout. by *Butt.

House Joint Resolution No. 922 -- Memorials, Personal Achievement - Joseph Loren Penrod, Eagle Scout. by *Butt.

House Joint Resolution No. 923 -- Memorials, Personal Achievement - Noah Jarom Walker, Eagle Scout. by *Butt.

House Joint Resolution No. 924 -- Memorials, Personal Achievement - Nathaniel Lee Rochelle, Eagle Scout. by *Butt.

House Joint Resolution No. 925 -- Memorials, Personal Achievement - Mason Madison Dabbs, Eagle Scout. by *Butt.

House Joint Resolution No. 926 -- Memorials, Personal Achievement - Calvin Wayne Hunt, Eagle Scout. by *Butt.

House Joint Resolution No. 927 -- Memorials, Personal Achievement - Nathaniel Butuyan Igot, Eagle Scout. by *Butt.

House Joint Resolution No. 928 -- Memorials, Personal Achievement - Michael Tyler Hughes, Eagle Scout. by *Butt.

House Joint Resolution No. 929 -- Memorials, Personal Achievement - Thomas Calvin Mayberry, Eagle Scout. by *Butt.

House Joint Resolution No. 930 -- Memorials, Personal Achievement - John William Rhodes, Eagle Scout. by *Butt.

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House Joint Resolution No. 931 -- Memorials, Personal Achievement - Anthony Winston Bowman, Eagle Scout. by *Butt.

House Joint Resolution No. 932 -- Memorials, Personal Achievement - Jackson Foster Fleming, Eagle Scout. by *Butt.

House Joint Resolution No. 933 -- Memorials, Personal Achievement - Joshua Thomas Brown, Eagle Scout. by *Butt.

House Joint Resolution No. 934 -- Memorials, Personal Achievement - Caleb Christopher Tapley, Eagle Scout. by *Butt.

House Joint Resolution No. 935 -- Memorials, Personal Achievement - Robert Alexander Sanders, Eagle Scout. by *Butt.

House Joint Resolution No. 936 -- Memorials, Personal Achievement - Caleb Alan Lindsey, Eagle Scout. by *Butt.

House Joint Resolution No. 937 -- Memorials, Personal Achievement - Bryson Kirk Smith, Eagle Scout. by *Butt.

House Joint Resolution No. 938 -- Memorials, Personal Achievement - Aaron James Farmer, Eagle Scout. by *Butt.

House Joint Resolution No. 939 -- Memorials, Personal Achievement - David Perryman, Eagle Scout. by *Butt.

House Joint Resolution No. 940 -- Memorials, Personal Achievement - Jackson O'Brien Baxter, Eagle Scout. by *Butt.

House Joint Resolution No. 941 -- Memorials, Personal Achievement - Thomas Bryan Moore, Eagle Scout. by *Butt.

House Joint Resolution No. 942 -- Memorials, Personal Achievement - Jaden Robert Tolman, Eagle Scout. by *Butt.

House Joint Resolution No. 943 -- Memorials, Professional Achievement - Bryson Boyd Mouser, Eagle Scout. by *Butt.

House Joint Resolution No. 944 -- Memorials, Personal Achievement - Jason David Randolph, Eagle Scout. by *Butt.

House Joint Resolution No. 945 -- Memorials, Personal Achievement - Raleigh Evert Johnson, Eagle Scout. by *Butt.

House Joint Resolution No. 946 -- Memorials, Academic Achievement - Bradi Faith Baker, Valedictorian, Gordonsville High School. by *Weaver.

House Joint Resolution No. 947 -- Memorials, Academic Achievement - Robin Anne Hord, Salutatorian, Gordonsville High School. by *Weaver.

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House Joint Resolution No. 948 -- Memorials, Academic Achievement - Kaitlynn Denise Logsdon, Salutatorian, White House Heritage High School. by *Kumar.

House Joint Resolution No. 949 -- Memorials, Academic Achievement - Luke Noble Sower, Salutatorian, Jo Byrns High School. by *Kumar.

House Joint Resolution No. 950 -- Memorials, Academic Achievement - William Tyler Gregory, Salutatorian, East Robertson High School. by *Kumar.

House Joint Resolution No. 951 -- Memorials, Academic Achievement - Sarai Patino, Salutatorian, South Haven Christian School. by *Kumar.

House Joint Resolution No. 952 -- Memorials, Interns - Taveion Da'Joun McCutcheon. by *Parkinson.

House Joint Resolution No. 953 -- Memorials, Academic Achievement - Vianca Martin, Salutatorian, Memphis Academy of Health Science. by *Parkinson.

House Joint Resolution No. 954 -- Memorials, Academic Achievement - Koriyan Beasley, Valedictorian, Memphis Academy of Health Sciences. by *Parkinson.

House Joint Resolution No. 955 -- Memorials, Recognition - Mt. Juliet High School Interact Club. by *Lynn.

House Joint Resolution No. 956 -- Memorials, Recognition - Henry County Healthcare Center, 2015 Bronze - Commitment to Quality Award. by *Wirgau.

House Joint Resolution No. 957 -- Memorials, Retirement - Colonel William "Bamm" Wynns, Jr. by *Pody.

House Joint Resolution No. 958 -- Memorials, Academic Achievement - Kristen Farmer, Salutatorian, Memphis School of Excellence. by *Towns.

House Joint Resolution No. 959 -- Memorials, Academic Achievement - Tyrone Darker, Valedictorian, Memphis School of Excellence. by *Towns.

House Joint Resolution No. 960 -- Memorials, Recognition - Serve and Protect. by *Harwell.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 13, 2016:

Senate Joint Resolution No. 701 -- Memorials, Retirement - Ricky C. Skillington. by *Tracy.

Senate Joint Resolution No. 702 -- Memorials, Death - Roy Crawford, Sr. by *Overbey.

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Senate Joint Resolution No. 703 -- Memorials, Recognition - Mt. Juliet Church of Christ, 125th anniversary. by *Beavers.

Senate Joint Resolution No. 704 -- Memorials, Sports - Zach Linton, 2016 TSSAA Division I AAA 170-pound Wrestling Champion. by *Beavers.

Senate Joint Resolution No. 706 -- Memorials, Recognition - Stuart Smith, University of Tennessee Athletic Hall of Fame. by *Dickerson.

Senate Joint Resolution No. 707 -- Memorials, Interns - Jonathan Joyce. by *Dickerson.

Senate Joint Resolution No. 708 -- Memorials, Interns - Roch Earl Monnig, Jr. by *Johnson.

Senate Joint Resolution No. 709 -- Memorials, Academic Achievement - Hayley Anderson, Valedictorian, Northwest High School. by *Green.

Senate Joint Resolution No. 710 -- Memorials, Interns - Amanda Joy Thompson. by *Harris.

Senate Joint Resolution No. 711 -- Memorials, Heroism - Captain Jerry Bradley. by *Crowe.

Senate Joint Resolution No. 712 -- Memorials, Heroism - Deputy Jenna Markland. by *Crowe.

Senate Joint Resolution No. 713 -- Memorials, Academic Achievement - Morgan Ray, Salutatorian, Heritage High School. by *Overbey.

Senate Joint Resolution No. 714 -- Memorials, Academic Achievement - Jennifer Bentz, Valedictorian, Heritage High School. by *Overbey.

Senate Joint Resolution No. 715 -- Memorials, Interns - Bradley Matthews Johnston. by *Crowe.

Senate Joint Resolution No. 716 -- Memorials, Academic Achievement - Jared Luckas, Valedictorian, Friendship Christian School. by *Beavers.

Senate Joint Resolution No. 717 -- Memorials, Academic Achievement - Brittany Amento, Valedictorian, Wilson Central High School. by *Beavers.

Senate Joint Resolution No. 718 -- Memorials, Academic Achievement - Megan Belcher, Salutatorian, Wilson Central High School. by *Beavers.

Senate Joint Resolution No. 719 -- Memorials, Academic Achievement - Shelby Musselman, Salutatorian, Wilson Central High School. by *Beavers.

Senate Joint Resolution No. 764 -- Memorials, Public Service - Lt. Governor Ron Ramsey. by *Norris, *Ketron, *McNally, *Watson, *Crowe.

Senate Joint Resolution No. 771 -- Memorials, Recognition - Bill Gaither. by *Crowe.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1738** -- Racing and Motor Sports - As introduced, creates the state horse racing advisory committee to develop recommendations for legislation related to the establishment of horse racing in this state. - Amends TCA Title 4. by *Niceley. (HB2029 by *Faison, *Powell, *Miller, *Favors, *Towns)

Senate Bill No. 1962 -- Criminal Offenses - As introduced, makes various changes to the offense of stalking, including adding the use of a third party to contact or surveil the person to the definition of unsolicited contact. - Amends TCA Title 20, Chapter 14; Title 36, Chapter 3, Part 6 and Title 39. by *Yarbro, *Bowling, *Harris, *Ketron, *Briggs, *Dickerson, *Roberts. (*HB1779 by *Coley, *Matlock, *Calfee, *Akbari, *Ragan, *Hill M, *Pitts, *Beck, *Lollar, *Hulsey, *Rogers, *Gilmore, *Goins, *Ramsey, *Hill T, *Weaver, *Hazlewood, *Hardaway)

Senate Bill No. 2249 -- Education - As introduced, permits each LEA and each school board for private schools to determine whether someone with a Tennessee-issued handgun carry permit may carry a handgun while on the property of the public or private school and while traveling on school functions with students. - Amends TCA Title 39 and Title 49, Chapter 6. by *Hensley, *Briggs. (*HB1751 by *Byrd, *Rogers)

Senate Bill No. 2303 -- Health Care - As introduced, requires hospitals, coroners, and medical examiners to report cases of maternal mortality to the department of health; requires the department to provide data on maternal mortality on its web site. - Amends TCA Title 68. by *Kyle. (*HB1757 by *Love)

Senate Bill No. 2364 -- Water Authorities - As introduced, sunsets the Hamilton County water and wastewater treatment authority created pursuant to this state's Water and Wastewater Treatment Authority Act, July 1, 2021. - Amends TCA Title 68, Chapter 221, Part 6. by *Watson. (*HB2381 by *Carter)

CONSENT CALENDAR

***House Bill No. 1707** -- Holidays and Days of Special Observance - As introduced, establishes the day after Thanksgiving Day as Native American Heritage Day in Tennessee. - Amends TCA Title 15. by *Hardaway, *Casada, *Mitchell, *Towns, *Turner, *Hill T.

***House Joint Resolution No. 688** -- Memorials, Recognition - Multiple chemical sensitivity. by *Gilmore.

***House Joint Resolution No. 519** -- Naming and Designating - "Neonatal Abstinence Syndrome Awareness Month," October 2016. by *Calfee, *Sexton C.

***House Joint Resolution No. 520** -- Naming and Designating - "Prader-Willi Syndrome Awareness Month," May 2016. by *Calfee.

House Bill No. 2655 -- Clay County - As introduced, subject to local approval, decreases the Clay County board of education from 10 members to five members. - Amends Chapter 330 of the Private Acts of 1947; as amended. by *Keisling.

House Bill No. 2661 -- Adamsville - As introduced, subject to local approval, authorizes the city commission to designate a city administrator as head of the operating functions of the city, including that of chief financial officer; requires the city administrator to appoint all department heads and the city recorder. - Amends Chapter 32 of the Private Acts of 2009. by *Jenkins.

***House Bill No. 2659** -- Saltillo - As introduced, subject to local approval, authorizes compensation of mayor and aldermen to be set by ordinance; authorizes mayor and aldermen to be reimbursed for expenses incurred in the conduct of their official duties. - Amends Chapter 45 of the Private Acts of 2005. by *Byrd.

***House Bill No. 2639** -- Regional Authorities and Special Districts - As introduced, renames the Four Lake regional industrial development authority to the Tennessee central economic authority. - Amends TCA Section 4-29-239; Title 64, Chapter 5, Part 2 and Title 67, Chapter 9, Part 1. by *Weaver.

House Bill No. 2436 -- Cemeteries - As introduced, extends to all local governments the authorization that county governments currently have to use local funds to rehabilitate or maintain dilapidated or abandoned cemeteries that do not maintain a sufficient improvement care trust fund or are not maintained adequately. - Amends TCA Title 46, Chapter 2, Part 1. by *Williams, *Dunn.

On motion, House Bill No. 2436 was made to conform with **Senate Bill No. 1480**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2648** -- Troy - As introduced, subject to local approval, decreases the number of required monthly meeting times of the board of mayor and aldermen, from two to one. - Amends Chapter 50 of the Private Acts of 1979. by *Sanderson.

House Bill No. 2654 -- Trimble - Subject to local approval, changes the election process for the mayor and aldermen elections; extends the terms of the mayor and aldermen from two years to four years. - Amends Chapter 88 of the Private Acts of 1993; as amended. by *Sanderson.

***Senate Joint Resolution No. 102** -- Pharmacy, Pharmacists - Requests the board of pharmacy to conduct an electronic survey of pharmacists relative to working conditions and the licensure renewal process. by *McNally.

***House Bill No. 2660** -- Shelbyville - As introduced, subject to local approval, rewrites city charter. - Amends Chapter 754 of the Private Acts of 1947; as amended. by *Marsh.

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House Bill No. 2179 -- Health Care - As introduced, authorizes a qualified physician assistant to evaluate and provide care to a youth athlete who suffered, or is suspected to have suffered, a concussion or head injury during the course of a school youth athletic activity. - Amends TCA Section 68-55-501. by *Hill T, *Sexton C.

On motion, House Bill No. 2179 was made to conform with **Senate Bill No. 1740**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2180** -- Highways, Roads and Bridges - As introduced, removes termination date of July 1, 2016, from the County Bridge Relief Act of 2014; permanently authorizes counties to use an unexpended balance of state-aid bridge grant funds to pay the local share of project costs for replacing or improving county bridges. - Amends TCA Section 54-4-507. by *Hill T, *Rogers.

On motion, House Bill No. 2180 was made to conform with **Senate Bill No. 2142**; the Senate Bill was substituted for the House Bill.

House Bill No. 2181 -- Motor Vehicles - As introduced, authorizes off-highway vehicles on State Route 167 in Johnson County from Roan Creek Campground to Doe Mountain. - Amends TCA Title 11, Chapter 25, Part 1 and Title 55, Chapter 8. by *Hill T.

On motion, House Bill No. 2181 was made to conform with **Senate Bill No. 1650**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2658** -- Portland - As introduced, subject to local approval, designates the department of public works as the department of public works and public utilities; authorizes the mayor to exercise control over the divisions of the department. - Amends Chapter 568 of the Private Acts of 1939; as amended. by *Lamberth.

House Resolution No. 254 -- Memorials, Interns - David Christopher Portillo. by *Sexton C.

House Resolution No. 255 -- Memorials, Recognition - UT Martin engineering students, SAE Aero Design East competition. by *Holt.

House Joint Resolution No. 890 -- Memorials, Personal Occasion - William "Billy" Isaacs, 85th birthday. by *Matlock.

House Joint Resolution No. 891 -- Memorials, Public Service - Senator William E. "Bill" Brock. by *McCormick, *Harwell, *Hazlewood, *Casada.

House Joint Resolution No. 892 -- Memorials, Recognition - State of Tennessee, 220th anniversary. by *Matheny.

House Joint Resolution No. 893 -- Memorials, Recognition - Jerry Wayne Patton. by *Sanderson.

House Joint Resolution No. 895 -- Memorials, Academic Achievement - Megan Eastep, Salutatorian, Mt. Pleasant High School. by *Butt.

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House Joint Resolution No. 896 -- Memorials, Academic Achievement - Brooke Boshers, Valedictorian, Mt. Pleasant High School. by *Butt.

House Joint Resolution No. 897 -- Memorials, Academic Achievement - Molly McKelvy, Valedictorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 898 -- Memorials, Academic Achievement - Grace Johnson, Salutatorian, Zion Christian Academy. by *Butt.

House Joint Resolution No. 899 -- Memorials, Public Service - Reggie Bigord. by *McDaniel.

House Joint Resolution No. 900 -- Memorials, Personal Occasion - Flonnie Webb Stephens, 107th birthday. by *Keisling.

House Joint Resolution No. 901 -- Memorials, Heroism - Latise Jones of Macon County. by *Keisling.

House Joint Resolution No. 902 -- Memorials, Academic Achievement - Abi Elizabeth Welch, Valedictorian, Macon County High School. by *Keisling.

House Joint Resolution No. 903 -- Memorials, Academic Achievement - Hunter Mason Dyer, Salutatorian, Macon County High School. by *Keisling.

House Joint Resolution No. 904 -- Memorials, Academic Achievement - Trevell Shipp, Class President, Sheffield High School. by *Akbari.

House Joint Resolution No. 905 -- Memorials, Academic Achievement - Lietza Ortega, Valedictorian, Sheffield High School. by *Akbari.

House Joint Resolution No. 906 -- Memorials, Academic Achievement - Bintou Diallo, Salutatorian, Sheffield High School. by *Akbari.

House Joint Resolution No. 907 -- Memorials, Academic Achievement - Caleb Fair, Salutatorian, Hamilton High School. by *Akbari.

House Joint Resolution No. 908 -- Memorials, Academic Achievement - Shamyia London, Valedictorian, Hamilton High School. by *Akbari.

Senate Joint Resolution No. 697 -- Memorials, Interns - Lauren Roos Conway. by *Hensley, *Bell.

Senate Joint Resolution No. 700 -- Memorials, Recognition - John Gilliland, Revolutionary War hero. by *Southerland.

Senate Joint Resolution No. 720 -- Memorials, Recognition - Major Lindsey Kyle Faudree. by *Green, *Bailey, *Beavers, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Ramsey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro.

Senate Joint Resolution No. 733 -- Memorials, Recognition - Dr. Earle P. Barron, Jr. by *Crowe.

OBJECTION--CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 1707: by Rep. Hardaway

Under the rules, House Bill No. 1707, was placed at the heel of the calendar for April 13, 2016.

Rep. Matheny moved that all members voting aye on House Joint Resolution No. 892 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Rep. Gilmore moved that all members voting aye on House Joint Resolution No. 688 be added as co-prime sponsors with the Davidson County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Rep. Akbari moved that all members voting aye on House Joint Resolutions Nos. 904, 905, 906, 907 and 908 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

Representatives present and not voting were: Todd -- 1

A motion to reconsider was tabled.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

REGULAR CALENDAR

***House Bill No. 1532** -- Firearms and Ammunition - As introduced, allows the Tennessee POST commission to deny a retired law enforcement officer's application to carry as a law enforcement officer if the retired officer is prohibited from purchasing or possessing a firearm, or obtaining a handgun carry permit, or if the retired officer has been convicted of DUI once within five years, or twice or more within 10 years, of the application date. - Amends TCA Title 38, Chapter 8, Part 1. by *McCormick, *Brooks K, *Carter. (SB2533 by *Norris, *Bell)

Further consideration of House Bill No. 1532, previously considered on March 21, 2016 and April 4, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 1532 was made to conform with **Senate Bill No. 2533**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 2533 be passed on third and final consideration.

Rep. McCormick moved adoption of House Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2533 by deleting subdivision (c)(6)(A)(ii) in Section 1 and substituting instead the following language:

(ii) Has been convicted of the offense of driving under the influence of an intoxicant in this or any other state two (2) or more times within ten (10) years from the date of the application and at least one (1) of the convictions has occurred within five (5) years from the date of application or renewal.

On motion, House Amendment No. 1 was adopted.

Rep. Marsh moved the previous question, which motion failed by the following vote:

Ayes	41
Noes.....	51

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Camper, Eldridge, Faison, Farmer, Favors, Forgety, Gravitt, Halford, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Kumar, Lamberth, Lynn, Marsh, McDaniel, McManus, Pitts, Ramsey, Reedy, Sargent, Shaw, Sparks, Spivey, Swann, Weaver, White D., White M., Williams, Womick, Madam Speaker Harwell -- 41

Representatives voting no were: Akbari, Armstrong, Beck, Byrd, Carr, Carter, Casada, Clemmons, Cooper, Daniel, Dunlap, Dunn, Durham, Fitzhugh, Goins, Hardaway, Hawk, Hill M., Hill T., Holt, Jenkins, Jones, Keisling, Lollar, Love, Matheny, Matlock, McCormick, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Rogers, Sanderson, Sexton C.,

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Sexton J., Shepard, Smith, Stewart, Todd, Towns, Travis, Turner, Van Huss, Windle, Wirgau, Zachary -- 51

Rep. McCormick moved that **Senate Bill No. 2533** be reset for the Regular Calendar on April 18, 2016, which motion prevailed.

Senate Bill No. 1814 -- Medical Occupations - As introduced, revises the educational requirements for licensure as a clinical pastoral therapist; authorizes issuance of temporary licenses to clinical pastoral therapists who are in training. - Amends TCA Title 63, Chapter 22. by *Yarbro. (*HB1849 by *Jernigan)

Further consideration of Senate Bill No. 1814, previously considered on March 28, 2016, March 30, 2016 and April 4, 2016, at which time the House substituted the Senate Bill for the House Bill and adopted Amendment No. 1, and it was reset for today's Calendar.

Rep. Jernigan moved that **Senate Bill No. 1814** be reset for the Regular Calendar on April 13, 2016, which motion prevailed.

***House Bill No. 2022** -- Mass Transit - As introduced, authorizes the department of transportation to construct and operate a mass transit system on the shoulder of a state or interstate highway; authorizes the department to enter into a contractual arrangement with a public transportation provider to operate the system. - Amends TCA Title 5; Title 6; Title 7; Title 9; Title 54; Title 55; Title 64 and Title 65. by *Beck, *Sargent, *Clemmons, *Holsclaw, *Byrd. (SB1953 by *Yarbro, *Ketron, *Harper)

Further consideration of House Bill No. 2022, previously considered on April 6, 2016, at which time it was reset for today's Calendar.

On motion, House Bill No. 2022 was made to conform with **Senate Bill No. 1953**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 1953 be passed on third and final consideration.

Rep. Matlock requested that Transportation Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 1953 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-118, is amended by adding the following as a new subsection (c):

(c)

(1) Notwithstanding this section, the driver of a bus operated by or for a publicly owned transit agency may overtake and pass a vehicle upon the right when operating on the shoulder or right-of-way of any highway on the state system of highways, including interstate highways, when authorized by the department of transportation. Except for authorized emergency vehicles, the operation of a vehicle on the shoulder or right-of-way of a state highway other than a bus authorized by the department is an offense punishable as a Class C misdemeanor.

(2) The department is authorized to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to effectuate the purposes of subdivision (c)(1), including establishing procedures for authorizing the operation of a bus on the shoulder or right-of-way and regulations for ensuring the safety of passengers on a bus and in vehicles operating on the main traveled way of the adjacent highway or right-of-way, such as establishing a maximum speed limit of a bus, limiting the use of the shoulder or right-of-way during peak traffic periods, and installing signs indicating the shoulder or right-of-way is reserved for exclusive use by a bus.

(3) As used in this subsection (c), "bus" does not include a school bus.

SECTION 2. No later than March 1, 2019, the department of transportation shall submit a detailed report to the transportation and safety committee of the senate and the transportation committee of the house of representatives on the status of any shoulder or right-of-way under, or being planned for, construction or improvement and of any current or planned operation of buses on a shoulder or right-of-way for purposes of Tennessee Code Annotated, Section 55-8-118(c).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Smith moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1953 by adding the following language as a new subdivision to subsection (c) of Section 1:

(4) The department may take any action to obtain federal, state, or local assistance for any aspect of implementation of a program to allow a bus to utilize the shoulder or right-of-way of a state highway as provided in subdivision (c)(1); provided, that any funds used for the purposes of this subsection (c) shall be specifically appropriated by reference in the general appropriations act.

On motion, House Amendment No. 3 was adopted.

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Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Beck moved that **Senate Bill No. 1953**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes.....	10
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Keisling, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Towns, Travis, Turner, Weaver, White M., Windle, Wirgau, Zachary, Madam Speaker Harwell -- 82

Representatives voting no were: Carter, Durham, Goins, Kane, Kumar, Littleton, McCormick, Reedy, Van Huss, Williams -- 10

Representatives present and not voting were: Womick -- 1

A motion to reconsider was tabled.

***House Bill No. 2009** -- Education, Dept. of - As introduced, requires the department to notify electronically each LEA when the office of research and education accountability publishes a report pertaining to pre-K-12 education in order that the LEAs may disseminate the report to licensed personnel. - Amends TCA Title 49. by *Butt. (SB2499 by *Gresham, *Stevens)

On motion, House Bill No. 2009 was made to conform with **Senate Bill No. 2499**; the Senate Bill was substituted for the House Bill.

Rep. Butt moved that Senate Bill No. 2499 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Mitchell moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2499 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

All TNReady tests administered at a school shall be proctored by a member of the general assembly in whose district the school is located. If a member of the general assembly does not proctor the tests, then the scores from those tests shall not be used in evaluating the students, the teachers, or the school at which the tests were administered, without the permission of the parents, the teachers, or the school.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

Rep. Dunn moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	69
Noes.....	21

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 69

Representatives voting no were: Armstrong, Beck, Clemmons, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 21

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Butt moved that **Senate Bill No. 2499** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson,

Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Todd voted "aye" on **Senate Bill No. 2499**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2376** -- Criminal Offenses - As introduced, clarifies that it is lawful for a person acting on behalf of either a public or a private institution of higher education and not just a public institution to capture an image using an unmanned aircraft in this state for purposes of research. - Amends TCA Title 39, Chapter 13. by *Holt. (SB2470 by *Stevens)

Rep. Holt moved that House Bill No. 2376 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2376 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-902(a)(4), is amended by deleting the language "subdivision (a)(6)" and substituting "§ 39-13-905".

SECTION 2. Tennessee Code Annotated, Section 39-13-902(a), is further amended by adding the following language as subdivision (5) and renumbering current subdivision (a)(5) and the subsequent subdivisions accordingly:

(5) If the image is captured for the practice of land surveying, as defined in § 62-18-102, by a duly registered land surveyor, pursuant to title 62, chapter 18, part 1; provided, the image of any person or thing on private property captured in the course of land surveying shall be subject to § 39-13-905 as an image captured incident to the lawful capturing of an image.

SECTION 3. Tennessee Code Annotated, Section 39-13-902(a), is further amended by adding the following language as a new subdivision:

() If the image is captured by the department of transportation, or a person under contract with or otherwise acting under the direction of or on behalf of the department of transportation, for the purpose of planning, locating, designing, constructing, maintaining, or operating transportation programs or

projects; provided, the image of any person or thing on private property captured by or for the department of transportation pursuant to this subdivision shall be subject to § 39-13-905 as an image captured incident to the lawful capturing of an image.

SECTION 4. Tennessee Code Annotated, Section 39-13-902(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) An image captured for law enforcement purposes by a state or local law enforcement agency, or by a person who is under contract with or otherwise acting under the direction of or on behalf of such agency, shall be handled in accordance with § 39-13-609 and shall not be used for any purpose other than the lawful purpose for which the image was captured as permitted by this section.

SECTION 5. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Matlock moved adoption of Transportation Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2376 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 39-13-902(a), is further amended by adding the following language as a new, appropriately designated subdivision:

() If the image is captured for the practice of photogrammetric mapping by an individual who holds the "certified photogrammetrist" designation of the American Society for Photogrammetry and Remote Sensing or other national scientific organization having a process for certifying photogrammetrists; provided, the image of any person or thing on private property captured in the course of photogrammetric mapping shall be subject to § 39-13-905 as an image captured incident to the lawful capturing of an image.

On motion, Transportation Committee Amendment No. 1, as House Amendment No. 2, was adopted.

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Rep. Holt moved that **House Bill No. 2376**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	19
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton J., Shepard, Smith, Sparks, Spivey, Swann, Todd, Van Huss, Weaver, White D., White M., Wirgau, Womick, Zachary, Madam Speaker Harwell -- 69

Representatives voting no were: Armstrong, Beck, Byrd, Camper, Clemmons, Dunlap, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Mitchell, Parkinson, Powell, Shaw, Stewart, Towns, Windle -- 19

Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on **House Bill No. 2376** and have this statement entered in the Journal: Rep. Byrd.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on **House Bill No. 2376** and have this statement entered in the Journal: Rep. Turner.

SPECIAL ORDER

Without objection, Rep. Casada moved the House take up House Joint Resolution No. 894, out of order at this time as follows:

House Joint Resolution No. 894 -- Memorials, Public Service - Representative Rick Womick. by *Casada, *McCormick.

Rep. Casada moved adoption of House Joint Resolution No. 894.

RESOLUTION READ

The Clerk read House Joint Resolution No. 894.

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Rep. Casada moved adoption of **House Joint Resolution No. 894**, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Joint Resolution No. 894** and have this statement entered in the Journal: Rep. Williams.

REGULAR CALENDAR, CONTINUED

***House Bill No. 577** -- Transportation, Dept. of - As introduced, requires county boards of education to submit the names of persons certified to drive school buses to the department of safety in order to be notified when a certified person's driver license is suspended or revoked; requires child care agencies to submit the names of persons transporting children to the department of safety in order to be notified when the driver license of a person who transports children is suspended or revoked. - Amends TCA Title 49, Chapter 6, Part 21; Title 55, Chapter 50; Title 55, Chapter 52 and Title 71, Chapter 3, Part 5. by *Hardaway, *Cooper, *Fitzhugh, *Armstrong, *Miller, *Hill T, *Love, *McManus, *Ragan, *Turner, *Keisling, *Casada, *DeBerry, *McCormick, *Coley, *Mitchell. (SB1373 by *Kyle)

Rep. Hardaway moved that House Bill No. 577 be passed on third and final consideration.

Rep. Matlock moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 577 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-2107, is amended by adding the following as a new, appropriately designated subsection:

Each local education agency (LEA) that provides transportation services shall submit to the department of safety the names of persons authorized to drive a school bus. The department of safety shall maintain a database of all those persons authorized to drive a school bus and notify the appropriate LEA if the driver license or driving privileges of a listed person have been suspended or revoked. Upon receiving the notification, the LEA shall suspend or revoke the person's authorization to drive a school bus and inform the person of the suspension or revocation. Any person authorized to drive a school bus shall notify the LEA if the person's driver license or driving privileges have been suspended or revoked. If the person's driver license or driving privileges have been reinstated and the person meets the other requirements set out by the LEA, the person may request new authorization to drive a school bus. As used in this subsection, "local education agency" has the same meaning as defined in § 49-1-103.

SECTION 2. Tennessee Code Annotated, Section 55-50-323(a)(2), is amended by adding the following as a new, appropriately designated subdivision:

() Notwithstanding this section, any person applying for a school bus endorsement, as defined in § 55-50-102(22)(E), or renewal thereof, shall pay a total fee of twenty dollars (\$20.00) for each school bus endorsement;

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 577 by deleting SECTION 3 in its entirety and substituting instead the following:

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Parkinson moved the previous question, which motion prevailed.

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Rep. Hardaway moved that **House Bill No. 577**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

***House Bill No. 2103** -- Education - As introduced, creates a task force to study the effects of concussions on student athletes in high school and college. - Amends TCA Title 49, Chapter 7. by *Hardaway. (SB2204 by *Gardenhire)

Rep. Hardaway moved that House Bill No. 2103 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2103 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) There is created the ad hoc committee on interscholastic sports injuries to:

(1) Study and evaluate concussions and other injuries suffered by student athletes and the long term effects of continued participation in high school, community college, college, and university level sports after suffering such injuries;

(2) Examine the academic growth and behavior of students who participate in high school, community college,

college, and university level sports and suffer concussions and other sports-related injuries; and

(3) Determine the best remedy for student athletes who enroll at a community college, college, or university that offers athletic scholarships to student athletes, but whose scholarships are withdrawn because the students are unable to remain on athletic teams due to concussions or other sports-related injuries.

(b) The ad hoc committee on interscholastic sports injuries shall be composed of:

(1) One (1) member of the health committee of the house of representatives;

(2) One (1) member of the education administration and planning committee of the house of representatives;

(3) One (1) additional member of the house of representatives;

(4) One (1) member of the health and welfare committee of the senate;

(5) One (1) member of the education committee of the senate;

(6) One (1) additional member of the senate;

(7) The executive director of the Tennessee higher education commission, or the executive director's appointee;

(8) The commissioner of health, or the commissioner's designee; and

(9) The commissioner of education, or the commissioner's designee.

(c) After the appointment of the standing committees for the one hundred tenth general assembly, the speaker of the house of representatives shall appoint the members of the house of representatives and the speaker of the senate shall appoint the members of the senate to the ad hoc committee on interscholastic sports injuries. The speakers shall ensure that each grand division of the state is represented from their respective houses in making their appointments.

(d) The member of the committee from the senate with the most years of legislative service shall call the first meeting of the committee. At

its first meeting, the committee shall elect a chair and such other officers as the committee deems necessary.

(e) The committee shall meet only on days when both the senate and the house of representatives are meeting in session or meeting in committees.

(f) The committee may solicit information and testimony from all stakeholders, including student athletes, parents, high schools, LEAs, community colleges, colleges, universities, physicians, and athletic associations concerning concussions and other sports-related injuries and their long term effects on students' health, behavior, and academic careers. The committee is encouraged to seek information from the sports medicine community and medical colleges about sports injuries, particularly concussions and their long term medical effects.

(g) The ad hoc committee on interscholastic sports injuries shall report its findings and recommendations, including any recommended legislation, to the health and welfare committee of the senate, the education committee of the senate, the health committee of the house of representatives, and the education administration and planning committee of the house of representatives by July 1, 2018. The committee shall cease to exist upon submission of the committee's report and recommendations.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Hardaway moved that **House Bill No. 2103**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

***House Bill No. 2450** -- Criminal Offenses - As introduced, prohibits a person who commits an assault at a sporting event from remaining on or entering the property during the same or another sporting event for the period of time determined by property management; punishes the entering of property during the established period of time as criminal trespass. - Amends TCA Title 39 and Title 40. by *Towns. (SB2269 by *Kyle)

Rep. Towns moved that **House Bill No. 2450** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 93

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

***House Bill No. 1712** -- Public Health - As introduced, requires the commissioner of health to develop protocols by December 31, 2016, concerning identifying and responding to multiple chemical sensitivity in affected persons after consultation with relevant stakeholders; the protocols are to be posted on the department of health web site and revised each year. - Amends TCA Title 49; Title 50; Title 63 and Title 68. by *Gilmore, *Terry. (SB2589 by *Norris, *Dickerson, *Tate)

Rep. Gilmore moved that House Bill No. 1712 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1712 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following as a new section to be appropriately designated:

(a) The commissioner of health shall encourage public health organizations, the medical community, the department of education, the department of labor and workforce development, the department of general services, and other relevant stakeholders to examine the asthma prevention protocols posted on the web site of the National Heart, Lung and Blood Institute of the National Institutes of Health (NIH) and related information to assist the medical profession, schools, public venues, workplaces, and other relevant stakeholders, in making appropriate responses to assist in:

(1) Diagnosing environmentally associated exacerbation of asthma in people with asthma;

(2) Avoiding new asthma cases;

(3) Better identifying and avoiding potential triggers so as to protect persons with these conditions; and

(4) Reducing medical costs and lost work or school time.

(b) On or before December 31, 2016, the commissioner shall include on the department of health web site the Internet links to the protocols identified in subsection (a), as existing asthma prevention protocols are helpful tools to better assist people affected by environmental illnesses and multiple chemical sensitivities.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Gilmore moved that **House Bill No. 1712**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

MONDAY, APRIL 11, 2016 – FIFTY EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 1915** -- Alcoholic Beverages - As introduced, allows Bessie Smith Cultural Center in Hamilton County to sell alcoholic beverages for consumption on premises. - Amends TCA Title 57, Chapter 4. by *Favors. (SB1910 by *Gardenhire)

On motion, House Bill No. 1915 was made to conform with **Senate Bill No. 1910**; the Senate Bill was substituted for the House Bill.

Rep. Favors moved that **Senate Bill No. 1910** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
Noes.....	20
Present and not voting.....	7

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Jenkins, Jernigan, Jones, Kane, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton J., Shaw, Shepard, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Weaver, White D., White M., Williams, Wirgau, Womick, Madam Speaker Harwell -- 64

Representatives voting no were: Brooks H., Brooks K., Byrd, Calfee, Dunlap, Dunn, Durham, Farmer, Goins, Hill M., Hill T., Holt, Howell, Hulsey, Keisling, Lollar, Matlock, Van Huss, Windle, Zachary -- 20

Representatives present and not voting were: Alexander, Butt, Doss, Moody, Pody, Smith, Sparks -- 7

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 1910** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1535** -- Taxes, Exemption and Credits - As introduced, reduces the capital investment requirement for eligibility for qualified data center sales and use tax exemptions from \$250,000,000 to \$150,000,000; exempts cooling equipment and backup power equipment sold or used by qualified data centers from the sales and use tax. - Amends TCA Title 67, Chapter 6. by *McCormick, *Brooks K, *Hazlewood. (SB2537 by *Norris, *Dickerson, *Stevens)

Rep. Hazlewood moved that **House Bill No. 1535** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 1651** -- Disabled Persons - As introduced, changes references from "persons adjudicated incompetent" to "persons who lack capacity to understand their legal rights and liabilities" for the purposes of civil proceedings. - Amends TCA Title 16; Title 20; Title 27; Title 28; Title 29; Title 30; Title 32; Title 34; Title 54; Title 66 and Title 69. by *Hawk. (SB1597 by *Massey)

On motion, House Bill No. 1651 was made to conform with **Senate Bill No. 1597**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 1597 be passed on third and final consideration.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1597 by deleting all the language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 28-1-106, is amended by designating the existing language as subsection (a) and adding the following language as appropriately designated subsections:

(b) Persons over the age of eighteen (18) years of age are presumed competent.

(c)

(1) If the person entitled to commence an action, at the time the cause of action accrued, lacks capacity, such person or such person's representatives and privies, as the case may be, may commence the action, after removal of such incapacity, within the time of limitation for the particular cause of action, unless it exceeds three (3) years, and in that case within three (3) years from removal of such incapacity, except as provided for in subdivision (c)(2).

(2) Any individual with court-ordered fiduciary responsibility towards a person who lacks capacity, or any individual who possesses the legal right to bring suit on behalf of a person who lacks capacity, shall commence the action on behalf of that person within the applicable statute of limitations and may not rely on any tolling of the statute of limitations, unless that individual can establish by clear and convincing evidence that the individual did not and could not reasonably have known of the accrued cause of action.

(3) Any person asserting lack of capacity and the lack of a fiduciary or other representative who knew or reasonably should have known of the accrued cause of action shall have the burden of proving the existence of such facts.

(4) Nothing in this subsection (c) shall affect or toll any statute of repose within this code.

(d) For purposes of this section, the term "person who lacks capacity" means and shall be interpreted consistently with the term "person of unsound mind" as found in this section prior to its amendment by Chapter 47 of the Public Acts of 2011.

SECTION 2. This shall take effect upon becoming law, the public welfare requiring it, and shall apply only to causes of action filed on or after that date.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Hawk moved that **Senate Bill No. 1597**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Bill No. 1503** -- Environmental Preservation - As introduced, adds costs, restitution awards, and other recoveries collected or received by the state pursuant to the Tennessee Petroleum Underground Storage Tank Act to the list of items to be deposited into the petroleum underground storage tank fund. - Amends TCA Title 68. by *Hawk, *McManus, *Rogers. (SB1690 by *Bell)

Rep. Hawk moved that House Bill No. 1503 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1503 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-215-109(b)(2), is

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amended by deleting the language "the board is authorized to promulgate rules lowering these tank fees" and by substituting instead the language "the board is authorized to promulgate rules lowering or suspending these tank fees".

SECTION 2. Tennessee Code Annotated, Section 68-215-110(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) All fees, civil penalties, and damages collected pursuant to this chapter shall be deposited in the fund. Damages, costs, restitution awards, and other recoveries collected or received by this state related to or arising from claims under this chapter, shall also be deposited into the fund to the extent that such recoveries represent the restoration of amounts disbursed from the fund, including any costs charged to the fund in pursuing such claims. Any deposits to the fund that would result in the unobligated balance of the fund exceeding fifty million dollars (\$50,000,000) shall be transferred to the highway fund.

SECTION 3. Tennessee Code Annotated, Section 68-215-110(e), is amended by deleting the subsection in its entirety and substituting instead the following:

(e) The board shall, when adjusting underground storage tank fees by rule as provided in § 68-215-109, consider all reasonably anticipated current and future liabilities and income of the petroleum underground storage tank fund, and, adjust underground storage tank fees, using an equitable and fiscally sound approach to sustain the long-term viability of the fund, to levels that are intended to result in sufficient funding of the current obligations, and actuarially determined obligations, after taking into account projected revenues that are reasonably expected to be available to fund these obligations as they become due, up to an unobligated maximum balance of fifty million dollars (\$50,000,000) in the fund. The board shall not consider lowering or suspending the fees to a level that will result in a failure to maintain a balance above an amount sufficient to cover the then projected annual amount of claims against the fund, as well as, anticipated administrative expenses for the year. After consideration of all relevant information, including information requested by the board from the department and any additional information provided by the department, the board shall choose the process, timing and assumptions to be used in the board's determinations of the obligations, anticipated income, and appropriate fund balance.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

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Rep. Hawk moved that **House Bill No. 1503**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 1909 -- Physicians and Surgeons - As introduced, deletes requirement that individual physician's offices and practices register as medical spas; deletes a January 1, 2016, deadline for submitting information related to registering as a medical spa. - Amends TCA Section 63-6-105. by *Terry, *Jernigan, *Shepard. (*SB1815 by *Hensley)

On motion, House Bill No. 1909 was made to conform with **Senate Bill No. 1815**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 1815 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1815 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-6-105(a), is amended by deleting the language ", and, notwithstanding § 63-1-153, the registry shall include an individual physician's office and a practice owned by a physician if the physician or the practice provides cosmetic medical services" and substituting the following:

, and, notwithstanding § 63-1-153, the registry shall include any physician-owned practice that advertises or holds itself out as a medical spa or a physician-owned practice that primarily engages in the performance of elective cosmetic medical services

SECTION 2. Tennessee Code Annotated, Section 63-6-105(b), is amended by deleting the language "prior to January 1, 2016," and substituting the language "prior to January 1, 2017,".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **Senate Bill No. 1815**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Todd, Towns, Travis, Turner, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 91

Representatives present and not voting were: Swann -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1815** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 536** -- General Assembly, Statement of Intent or Position
- Encourages immigrants to U.S. to learn English language. by *Sparks.

Rep. Sparks moved adoption of **House Joint Resolution No. 536**, which motion prevailed by the following vote:

Ayes 88
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 88

Representatives voting no were: Hardaway, Parkinson -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on **House Joint Resolution No. 536** and have this statement entered in the Journal: Rep. Turner.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Joint Resolution No. 536** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1448** -- Criminal Offenses - As introduced, increases the penalty for unlawful photographing in violation of privacy to a Class D felony and requires those convicted to register as a sexual offender, regardless of the victim's age or the defendant's dissemination of the photograph. - Amends TCA Title 39, Chapter 13, Part 6 and Title 40, Chapter 39. by *Sparks. (SB1663 by *Tracy, *Bowling)

On motion, House Bill No. 1448 was made to conform with **Senate Bill No. 1663**; the Senate Bill was substituted for the House Bill.

Rep. Sparks moved that Senate Bill No. 1663 be passed on third and final consideration.

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Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sparks moved that **Senate Bill No. 1663** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Todd, Towns, Travis, Turner, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 1663** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR, CONTINUED

House Bill No. 1471 -- Common Carriers - As introduced, requires that special permits issued for overweight and overdimensional vehicles allow travel seven days a week, during daylight and at night, and on holidays; restricts interstate travel on weekdays in Shelby, Davidson, Hamilton, and Knox counties; allows time and travel restrictions for mobile homes and superheavy or extra-overdimensional vehicles. - Amends TCA Title 55, Chapter 4, Part 4 and Title 55, Chapter 7, Part 2. by *Keisling. (*SB1479 by *Bailey)

On motion, House Bill No. 1471 was made to conform with **Senate Bill No. 1479**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 1479 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Keisling moved that **Senate Bill No. 1479** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary --
92

A motion to reconsider was tabled.

***House Bill No. 2193** -- Courts, Juvenile - As introduced, requires all court records be expunged within 60 days and the restoration of a person's status if a case is dismissed or an informal adjustment without adjudication is granted; allows a person adjudicated unruly to petition the juvenile court for expunction. - Amends TCA Section 37-1-153. by *Coley. (SB2585 by *Norris)

Rep. Coley moved that House Bill No. 2193 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2193 by deleting subdivision (f)(3) of the amendatory language of SECTION 4 and substituting instead the following:

(3)

(A) In any case in which there is successful completion of an informal adjustment without adjudication under § 37-1-110, all court files and records shall be expunged by the juvenile court after one (1) year, upon a petition by the child pursuant to § 40-32-101(a), and without cost to the child. The court shall inform the child, at the time of the informal adjustment, of the need to petition for expunction after a year of successful completion of an informal adjustment and provide the child with a model expunction petition prepared by the administrative office of the courts. The administrative office of the courts shall create a petition that can be completed by a child and shall be circulated to all juvenile court clerks. All juvenile court clerks shall make this model expunction petition accessible to all petitioners.

(B) In any case that is dismissed, excluding a case dismissed after successful completion of an informal adjustment, all court files and records shall be expunged by the juvenile court as a part of the court's order of dismissal, without the filing of a petition for expunction, and at no cost to the child.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Coley moved that **House Bill No. 2193**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

***House Bill No. 1857** -- Clerks, Court - As introduced, authorizes the clerk in any court where electronic filing, signing, or verification of papers is authorized by court rule to assess a transaction fee for each filing submitted on an individual basis or by use of an annual subscription fee. - Amends TCA Title 8, Chapter 21, Part 4. by *White D. (SB1998 by *Ketron)

On motion, House Bill No. 1857 was made to conform with **Senate Bill No. 1998**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that **Senate Bill No. 1998** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 84
Noes 6

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey,

Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 84

Representatives voting no were: Clemmons, Dunlap, Pitts, Powell, Stewart, Windle -- 6

A motion to reconsider was tabled.

House Bill No. 710 -- Education, Higher - As introduced, requires THEC to include the number of out-of-state students attending state institutions of higher education by institution and by state or foreign country and the amount of out-of-state tuition collected by each institution in its annual Higher Education Fact Book. - Amends TCA Title 4, Chapter 58; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *White M. (*SB514 by *Gardenhire)

On motion, House Bill No. 710 was made to conform with **Senate Bill No. 514**; the Senate Bill was substituted for the House Bill.

Rep. M. White moved that Senate Bill No. 514 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 514 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1.

(a) The executive director of the Tennessee higher education commission (THEC) shall convene a task force to examine the statutory tuition discount and waiver programs offered at public institutions of higher education in this state.

(b) The task force shall develop policy recommendations for the general assembly related to increasing the programs' overall efficiency, accountability, and cost-effectiveness.

(c) The task force shall be composed of:

(1) A representative from the department of human resources to be appointed by the commissioner of human resources;

(2) A representative from the department of finance and administration to be appointed by the commissioner of finance and administration;

(3) A representative from the board of regents to be appointed by the chancellor;

(4) A representative from the University of Tennessee system to be appointed by the president;

(5) A representative from THEC to be appointed by the executive director; and

(6) A representative from the office of legislative budget analysis to be appointed by the directors of the office.

SECTION 2. The task force shall report its final recommendations to the chairs of the education committee of the senate and the education administration and planning committee of the house of representatives no later than December 15, 2016. When the task force reports its final recommendations, the task force shall cease to exist.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. M. White moved that **Senate Bill No. 514**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 8

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Weaver, White D., White M., Williams, Wirgau, Womick, Madam Speaker Harwell -- 85

Representatives voting no were: Byrd, Durham, Hill M., Hill T., Sexton C., Van Huss, Windle, Zachary -- 8

A motion to reconsider was tabled.

***House Bill No. 2574** -- Basic Education Program (BEP) - As introduced, eliminates an obsolete provision of Tennessee Code Annotated concerning the BEP. - Amends TCA Title 49, Chapter 3, Part 3. by *McCormick, *Brooks K, *Smith, *Rogers, *White M. (SB2565 by *Norris)

Rep. M. White moved that House Bill No. 2574 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2574 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-3-307, is amended by deleting the section in its entirety and substituting instead:

(a) Notwithstanding § 49-1-302, § 49-3-351, or any other law or rule to the contrary, effective with fiscal year 2016-2017, the Tennessee basic education program (BEP) shall be calculated using the following criteria:

(1)

(A)

(i) BEP appropriations to LEAs for the 2015-2016 school year, plus appropriations to LEAs generated for increases in the dollar value of instructional components based on the 2015-2016 school year shall constitute a minimum level of funding; however, any LEA on stability funding during the 2015-2016 school year shall have its minimum level of funding adjusted to reflect decreases in enrollment experienced in the 2014-2015 school year; and

(ii) Beginning with the 2017-2018 school year, the minimum level of funding identified pursuant to subdivision (a)(1)(A)(i) shall be adjusted to reflect decreases in enrollment;

(B) The department of education shall utilize enrollment numbers from an attendance month or months that maximize LEA budget planning and best represent yearly enrollment numbers to determine BEP funding allocations. Students graduating during the school year but prior to the identified attendance periods shall be included for funding purposes;

(2)

(A) The BEP shall include the following four (4) categories of components:

(i) Instructional salaries and wages;

(ii) Instructional benefits;

(iii) Classroom; and

(iv) Nonclassroom;

(B) The state shall provide seventy percent (70%) of the funds generated for components within the instructional salaries and wages category; seventy percent (70%) of the funds generated for components within the instructional benefits category; seventy-five percent (75%) of the funds generated for components within the classroom category; and fifty percent (50%) of the funds generated for components within the nonclassroom category;

(3) The dollar value of the BEP instructional salaries and wages position component shall be forty-four thousand four hundred thirty dollars (\$44,430) for fiscal year 2016-2017 and may be adjusted in subsequent fiscal years in accordance with the general appropriations act;

(4) The cost differential factor (CDF) shall be funded at twenty-five percent (25%) in fiscal year 2016-2017 and eliminated from the formula in subsequent years as increases are made to the instructional salary and wages component;

(5) The funds generated for medical insurance in the BEP shall be based on twelve (12) months of employment;

(6) The formula shall provide one hundred percent (100%) funding for at-risk students in kindergarten through grade twelve (K-12). "At-risk" funding allocations shall be determined by the department of education using appropriated funding and applicable direct certification eligibility guidelines pursuant to 42 U.S.C. §§ 1751-1769; however, at a minimum, the amount of funds representative of the at-risk component and generated statewide shall equal the amount generated statewide in the 2015-2016 school year with adjustments made for decreased enrollment;

(7) The formula shall provide funding for English language learner students at a ratio of one to twenty (1:20) and one to two hundred (1:200) for teachers and translators, respectively;

(8) The formula shall provide funding for special education personnel based on the level and extent of services provided and related to the student's individualized education program (IEP). The state board of education shall address the special education options and caseload allocations within the formula in a manner that provides a child with a disability a free and appropriate public education according to the unique needs of the child, as described in the child's IEP. To ensure the formula does not create a disincentive to placing the child in the least restrictive

environment according to the individual student's needs, the 2015-2016 school year options and caseload allocations shall be condensed as follows with future revisions made pursuant to § 49-3-351:

(A) Option 1 (Option 1 in the 2015-2016 school year) = 91;

(B) Option 2 (Options 2 and 3 in the 2015-2016 school year) = 58.5;

(C) Option 3 (Options 4-6 in the 2015-2016 school year) = 16.5; and

(D) Option 4 (Options 7-10 in the 2015-2016 school year) = 8.5;

(9) The dollar value of the classroom technology component shall be forty million dollars (\$40,000,000), and may be adjusted in accordance with the general appropriations act;

(10)

(A) The formula shall recognize the ability of local jurisdictions to raise local revenues by measuring the ability to generate local revenues from property tax and local option sales tax. This calculation shall be based on applying the statewide average property tax rate for education and the statewide average local option sales tax rate for education to the respective tax bases of each local jurisdiction. No reduction shall be made in any calculation of a local jurisdiction's ability to raise local revenues from property taxes for agreements entered into by the local jurisdiction that result in payments in lieu of taxes being made to the local jurisdiction;

(B) The formula shall also recognize the ability of local jurisdictions to raise local revenues as determined by the multiple regression analysis model developed by the Tennessee advisory commission on intergovernmental relations pursuant to § 4-10-104(10); and

(C) The formula shall equally weight the provisions of subdivisions (a)(10)(A) and (B);

(11) The formula shall be student-based such that each student entering or exiting an LEA shall impact generated funding; and

(12) Each LEA shall receive no less than a twenty-five percent (25%) state share in the nonclassroom components;

(b) Notwithstanding §§ 49-1-302, 49-3-351, and any other law to the contrary, the changes in components or factors of the BEP implemented by this act shall be implemented in accordance with funding as made available through the general appropriations act.

SECTION 2. Tennessee Code Annotated, Section 49-3-306(a)(2), is amended by deleting the subdivision in its entirety.

SECTION 3. Tennessee Code Annotated, Section 49-3-306(b)(4), is amended by deleting subdivisions (B) and (C) in their entireties and substituting instead:

(B) When funds are appropriated through the basic education program (BEP) funding formula for instructional salaries and wages, all such funds must be expended on instructional salaries and wages; however, if an LEA's average licensed salary exceeds the statewide average salary, such funds may also be expended on instructional benefits.

(C) An LEA shall maintain its budgeted level of local funding for salaries and wages from the prior year, with exceptions made for loss of enrollment, and shall not utilize increases in state funding for instructional salaries and wages to offset local expenditures in these categories.

SECTION 4. Tennessee Code Annotated, Section 49-3-316, is amended by adding the following language as a new appropriately designated subsection:

As part of the requirements of subsection (a), the commissioner shall develop a standardized system of financial accounting and reporting whereby LEAs shall report revenue allocations at the school level, including schools authorized pursuant to the Tennessee Public Charter Schools Act of 2002, compiled in chapter 13 of this title.

SECTION 5. Tennessee Code Annotated, Section 49-3-366, is amended by deleting the section in its entirety.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2574 by deleting subdivision (B) from the amendatory language of SECTION 3 and substituting instead:

(B)

(i) When funds are appropriated through the basic education program (BEP) funding formula for instructional salaries and wages, all such funds must be expended by an LEA on instructional salaries and wages; however, if an LEA's average licensed salary exceeds the statewide average salary, such funds may also be expended on instructional benefits.

(ii) The department of education shall make adjustments to each LEA's required expenditure pursuant to subdivision (b)(4)(B)(i) to account for any unfunded growth in the prior year and the loss of any instructional funding appropriated for the 2015-2016 school year.

(iii) For the purposes of subdivision (b)(4)(B)(i), the salary figure recognized by the BEP review committee to analyze salary disparity pursuant to § 49-1-302(a)(4)(B) shall be utilized.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Butt moved the previous question, which motion prevailed by the following vote:

Ayes	67
Noes	25

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sparks, Spivey, Swann, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Womick, Zachary, Madam Speaker Harwell -- 67

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Dunlap, Dunn, Favors, Fitzhugh, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Pitts, Powell, Shaw, Shepard, Smith, Stewart, Towns, Turner, Windle -- 25

Rep. M. White moved that **House Bill No. 2574**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss,

Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2574** and have this statement entered in the Journal: Rep. Love.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2064** -- Highway Signs - As introduced, grants the department of transportation exclusive jurisdiction over the design, erection, installation, and maintenance of tourist oriented directional signs ("TODS signs"), including jurisdiction over TODS signs on state highways in incorporated municipalities; requires removal of signs purporting to be TODS signs that were, or are, installed without lawful authorization; requires department to establish TODS permit system and inventory. - Amends TCA Title 54, Chapter 5. by *Daniel. (SB1971 by *Tracy)

Senate Amendment No. 2

AMEND House Bill No. 2064 by deleting SECTION 2 of the bill as amended (draft #012988) and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 54-5-1302, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) Any TODS sign that was, or is, erected or installed within the right-of-way of any state highway by any local government or any entity other than the department or a contractor acting for the department is hereby declared illegal, and the sign shall be removed by the local government or entity that erected or installed it; provided, however, that the cost of removal may be recovered from the facility or facilities advertised on the sign. If the local government or entity fails or refuses to remove the sign within one hundred eighty (180) days after ordered by the department, the department shall remove the sign and may recover the cost of removal from the local government that constructed the sign. This subsection (b) shall not apply to any TODS sign erected or installed prior to the effective date of this act within the corporate limits of the county seat of any county having a population of not less than eighty-nine thousand eight hundred (89,800) nor more than eighty-nine thousand nine hundred (89,900), according to the 2010 federal census or any subsequent federal census.

Rep. Daniel moved that the House concur in Senate Amendment No. 2 to **House Bill No. 2064**, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Carter, **House Bill No. 1998** was recalled from the Civil Justice Committee and withdrawn from the House.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 813** to be heard in the Government Operations Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2381** to be heard in the Agriculture and Natural Resources Committee this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 1751, 2142, 1448, 2089, 2091, 1736, 2414, 721 and 1120** to be heard on the Finance, Ways & Means Subcommittee Calendar No. 2 this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 2629, 2630, 2631, 883, 885, 2541, 1463, 1462 and 1461** to be heard in the Finance, Ways & Means Committee Appropriations Calendar this week, which motion prevailed.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 2563** to be heard in the Finance, Ways & Means Subcommittee tomorrow, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1410 Rep. Holt as prime sponsor.

House Bill No. 1422 Reps. Matlock and Spivey as prime sponsors.

House Bill No. 1532 Reps. Hardaway and Shaw as prime sponsors.

House Bill No. 1535 Rep. Daniel as prime sponsor.

House Bill No. 1654 Rep. Moody as prime sponsor.

House Bill No. 1707 Reps. Cooper and Parkinson as prime sponsors.

House Bill No. 1843 Rep. Carr as prime sponsor.

House Bill No. 2109 Reps. Matlock and Spivey as prime sponsors.

House Bill No. 2110 Reps. Matlock and Spivey as prime sponsors.

House Bill No. 2113 Reps. Matlock and Spivey as prime sponsors.

House Bill No. 2126 Rep. Hicks as prime sponsor.

House Bill No. 2571 Rep. M. White as prime sponsor.

House Bill No. 2665 Rep. C. Sexton as prime sponsor.

SPONSORS REMOVED

MONDAY, APRIL 11, 2016 – FIFTY EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

On Motion, Reps. Gilmore, McCormick, Shaw and Terry were removed as sponsor of **House Bill No. 1707**.

SIGNED
April 11, 2016

The Speaker announced that she had signed the following: Senate Bill No. 1830.

JOE MCCORD, Chief Clerk

ENGROSSED BILLS
April 11, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2376;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS
April 11, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1712;

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS
April 11, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 1503;

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 11, 2016

The Speaker announced that she had signed the following: House Bills Nos. 1775, 2256, 2389, 2391, 2401, 2402, 2621, 2623, 2643, 2644, 2649, 2650, 2651 and 2653.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 11, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1879; The Senate non-concurred in House Amendment No(s). 1

RUSSELL A. HUMPHREY, Chief Clerk

3640

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

RECESS

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Wednesday, April 13, 2016.